

Appl. No. 09/880,266
Amdt. Dated September 30, 2004
Reply to Office action of August 3, 2004
Attorney Docket No. P14976-US2
EUS/J/P/04-8853

REMARKS/ARGUMENTS

Claim Amendments

No claims have been amended. Claims 1-7 and 9-14 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the following remarks.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 1-7 and 9-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Valentine et al. (US 6,356,751 B1) in view of Choi, et al. (US 6,594,492 B2) and further in view of Houde (US 5,797,093). The Applicant respectfully submits that the subject matter of Valentine and Choi is disqualified as prior art under 35 U.S.C. § 103(c).

Statement of Common Ownership

The present application was filed after November 29, 1999.

The present application and Valentine et al. were, at the time the invention of the present application was made, both owned by or subject to an obligation of assignment to Ericsson, Inc. Additionally the present application and Choi were, at the time of the invention of the present application, owned by or subject to an obligation of assignment to Telefonaktiebolaget LM Ericsson, a Swedish corporation, the parent company of Ericsson, Inc., the assignee of the present application.

Because Valentine and Choi are disqualified as prior art, a 103 rejection is not proper. Therefore, the allowance of claims 1-7 and 9-14 is respectfully requested.

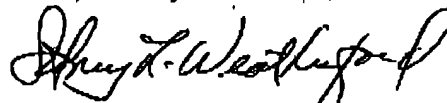
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CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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